

1321.02 US
PatentREMARKS

Reconsideration of this application and withdrawal of the rejections set forth in the Office action mailed August 22, 2006 and the Advisory Action mailed November 17, 2006 are requested in view of the above amendments and the following remarks. New claims 22-25 and are supported at least at paragraphs 58-65 of the specification. Claims 5, 7, and 15 have been cancelled.

Claim Rejections - 35 U.S.C. § 103(a)Claims 1, 3, 5, 6, 15, and 17:

Claims 1, 3, 5, 6, 15, and 17 were rejected under 35 U.S.C. § 103(a) based on new grounds for rejection, namely, as being unpatentable over Knudson in view of U.S. Patent No. 6,208,799 to Marsh et al. ("Marsh") and further in view of U.S. Publication No. 2002/0081096 to Wantanabe et al. ("Wantanabe"). Claims 5 and 15 have been cancelled. For the reasons set forth below, claims 1, 3, 6, and 17 are patentable over the cited prior art.

To begin with, Knudson does not teach resolving a conflict by selecting a first time slot with a first priority as the higher priority if the first timeslot is a user extended trail timeslot, and selecting a second time slot with a second priority as the higher priority if the first time slot is a user extended lead time slot. Knudson makes no distinction between a user extended lead or trail timeslots or core timeslots.

Claims 3 and 17 are further distinguishable from Knudson because Knudsen does not assign a second higher priority to a timeslot that is not an automatically extended lead timeslot or an automatically extended trail timeslot, nor does Knudson treat the

1321.02 US
Patent

automatically extended lead and trail timeslots and user extended lead and trail timeslots as separate entities.

Furthermore, Knudson eliminates a trailing buffer of a first program when a second program is selected for recording. (Knudson, Col. 7, lines 59-63.) Claim 1, on the other hand, recites a user extended lead timeslot or a user extended trail timeslot having a first higher priority, which Knudson does not teach.


Claim 6:

Claim 6 is patentable over the cited references because none of the cited references, either alone or in combination, teach a cumulative priority system, wherein the cumulative priority for each of said solutions comprises a first priority for one of the two or more timeslots that is a user extended lead time slot, a second priority for one of the two or more timeslots that is a user extended trail time slot, a third priority for one of the two or more timeslots that is an automatically extended lead or trail time slot, and a fourth priority for one of the two or more timeslots that is a core time slot.

1321.02 US
PatentCONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the claims presented in this application define patentable subject matter over the cited prior art. Accordingly, reconsideration and allowance of the application are requested. Applicant's undersigned representative also looks forward to the scheduled interview with the Examiner, and the Examiner is encouraged to contact Applicant's undersigned at the number below to discuss any other issues.

Respectfully submitted,


Valerie L. Sarigumba
Registration No. 55,594
Phone: (773) 972-0756
Fax: (949) 625-8955

Customer No. 23410
Vista IP Law Group LLP
2040 Main Street, 9th Floor
Irvine, California 92614
Phone: (949) 724-1849
Fax: (949) 625-8955